



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 034536-0390
(formerly 038602-0402)



In re patent application of

Peng Cho TANG *et al.*

Serial No.: 09/191,199

Filed: November 12, 1998

Group Art Unit: 1624

Examiner: B. Coleman

For: AZAINDOLE TYROSINE KINASE INHIBITORS (as amended)

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RESPONSE UNDER 37 CFR 116

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action dated June 25, 2003, applicants have attached hereto four terminal disclaimers to render moot the obviousness-type double patenting rejections of record. The filing of the attached terminal disclaimers does not constitute an acquiescence to the merits of the outstanding rejections and has been done solely to expedite prosecution.

In view of this response, applicants submit that all of the obviousness-type double patenting rejections are moot and that this application is in condition for allowance. Early notice to that effect is earnestly solicited. The Examiner is invited to telephone the undersigned at the

Okay
to Enter
BC
10-22-03

Application No. 09/191,199

Attorney Docket No. 034536-0390
(formerly 038602-0402)

number listed below if the Examiner believes this would be helpful in advancing the application to issue.

Respectfully submitted,

Date September 25, 2003

By 

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5300
Telephone: (202) 672-5427
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Matthew E. Mulkeen
Attorney for Applicants
Registration No. 44,250

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.

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TERMINAL DISCLAIMER TRANSMITTAL FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The accompanying Terminal Disclaimer requires a fee totaling \$110.00. The Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 25, 2003

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Matthew E. Mulkeen
Registration No. 44,250

A handwritten signature in dark ink, appearing to read "Matthew E. Mulkeen", written over a horizontal line.

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~~Void date: 09/29/2003 MBIZUNES~~
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